

2008 OCT 30 PM 4: 10

PATENT
5681-68600/P9711

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/726,447

Filed: December 3, 2003

Inventors:

Akm N. Islam

Michael C. Hulton

W. Byron Nevins Jr.,

Kenneth Ebbs

Sridatta Viswanath

Abhijit Kumar

Title: System and Method for
Application Deployment in
a Domain for a Cluster

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Examiner: Kiss, Eric B.

Group/Art Unit: 2192

Atty. Dkt. No.: 5681-68600

REQUEST FOR REFUND OF EXTENSION OF TIME FEE

Commissioner for Patents
Mail Stop 16
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

Please let this serve as a formal request for a refund of the extension of time fees in the amount of \$460.00, associated with the Notice of Appeal filed July 31, 2008. Applicants filed a Response to Final Office Action on May 26, 2008, by the two-month due date, which extended the time for response to the mailing date of an Advisory Action. The Notice of appeal was filed on July 31, 2008, before the mailing date of the Advisory Action on August 1, 2008. **Therefore no extension of time was required.**

Applicant respectfully requests a refund in the amount of \$460.00 to deposit account no. 501505/5681-68600/RCK. If you have any questions or comments, please do not hesitate to contact the undersigned agent.

Respectfully submitted,

/Robert C. Kowert/

Robert C. Kowert, Reg. # 39,255

Attorney for Applicant(s)

Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C.
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Date: October 29, 2008

Clark & Elbing LLP

101 Federal Street
Boston, MA 02110-2214

Telephone 617-428-0200
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101 Federal Street
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617-428-7046

October 27, 2008

RE: Account # 032095
Application # 12/002,222

To Whom It May Concern:

I am writing to request a refund for a charge that was posted in error to our account. On 10/17/08 our account #032095 was charged \$43,680 for 168 pages at \$260 per page. The charge should not be \$260 per page, but \$260 for each 50 pages, or \$780, which we paid on 9/19/08. I have attached backup on the \$43,680 charge as well as the \$780 charge. Let me know if you have any questions or need more information. Thanks in advance for your attention to this matter.

Sincerely,



John Persechini
Accounting Manager
Clark & Elbing LLP
617-897-2053 Phone
617-428-7045 Fax



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APPLICATION NUMBER	FILING OR 37(C) DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO./TITLE
12/002,222	12/14/2007	Clerard Drewes	50125/103003

CONFIRMATION NO. 5914

FORMALITIES LETTER

21559
CLARK & ELBING LLP
101 FEDERAL STREET
BOSTON, MA 02110

ACTION DUE reply to NTFMPDUE DATE 05/13/08ESP 19/13/08INITIALS mjd

Date Mailed: 03/13/2008

KBB Docket
3/14/08

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

The application is Informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
 - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 7, 8b, 8c, 9a, 9b, 11, 13A-C, 15A-B, 17-23.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

The applicant needs to satisfy supplemental fees problems indicated below

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this notice.

09/19/2008 CCHW1 00000014 12002222

02 FC:1081
03 FC:1051

780.00 DP
130.00 DP

page 1 of 2

10/16 4150	11298560	50304/110001	1808	\$180.00	\$26,129.50
10/16 4148	11298560	50304/110001	2252	\$245.00	\$25,884.50
10/16 4408	61105654	50546/010001	2005	\$110.00	\$25,774.50
10/16 8	61089830	50050/009001	2085	-\$130.00	\$25,904.50
10/16 35	12226300	00788/490002	2615	\$23.00	\$25,881.50
10/16 10725	60743304	04843/150WO2	8021	\$80.00	\$25,801.50
10/16 10918	12223198	50355/005001	8021	\$40.00	\$25,761.50
10/16 11251	12047963	50361/004003	8021	\$40.00	\$25,721.50
10/16 11737	11588011	00788/548004	8021	\$40.00	\$25,681.50
10/16 11858	12246805	50294/012002/0013	8021	\$80.00	\$25,601.50
10/16 12212	10376369	50294/003001	1261	\$130.00	\$25,471.50
10/16 38	PAYMENT		0203	-\$40,000.00	\$65,471.50
10/17 48	12002222	50125/103003	1081	\$43,680.00	\$21,791.50
10/17 9518	60997929	60373/014WO2	8007	\$20.00	\$21,771.50
10/17 9550	60997136	50037/007WO4	8007	\$20.00	\$21,751.50
10/17 9551	61127404	50037/007WO4	8007	\$20.00	\$21,731.50
10/17 9552	61076119	50037/007WO4	8007	\$20.00	\$21,711.50
10/20 697	11629111	04843/177002	8021	\$80.00	\$21,631.50
10/20 700	12164827	50595/004001	8021	\$40.00	\$21,591.50
10/20 744	12164827	50595/004001	8021	\$40.00	\$21,551.50
10/20 956	11629110	04843/177002	8021	\$80.00	\$21,471.50
10/20 7169	61106536	50304/198001	2006	\$110.00	\$21,361.50
10/20 17	11919941		9204	-\$175.00	\$21,536.50
10/20 18	11919941	50429/007001	2617	\$85.00	\$21,471.50

START BALANCE	SUM OF CHARGES	SUM OF REFRESH BALANCE	END
\$50,610.00	\$76,043.50	\$40,805.00	\$21,471.50

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